

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 8, 2003

LB 303

most folks can agree on. And I'll talk about one specifically, and that is the fact that most motorcycle accidents are not the fault of the motorcycle rider when...and that is when there are two vehicles involved, one being a motorcycle. Now, when it's a single-vehicle accident involving a motorcycle, meaning the motorcycle might strike an object or something, I would also say that generally it's conditions that cause the accident, whether it's loose gravel, whether it is the inebriation of the driver. It's not the helmet that causes the accident, generally speaking. Now, there are differing opinions on this. Actually, this issue was probably emphasized to me more by a physician's assistant in my district than any other individual. And this physician's assistant has seen a lot of cases, has seen a lot of cases involving accidents and...specifically, accidents involving motorcycles. But he brought a balanced approach. He said that the emphasis on the training contained in LB 303 would bring about a net benefit to the state, to the taxpayers of Nebraska. The opposition seems to be somewhat of a moving target on this, because you can't quite pin down the absolute reason why folks want to mandate helmets. But if you look at the...three of several handouts that you've been receiving on this...and I apologize if I've bombarded you. One of my colleagues stated that he needed a helmet to protect himself from all of the handouts that I've distributed. But first of all, if you wouldn't mind taking the map showing the country and how Nebraska is an island. And when I was deciding what priority bill to choose, what bill I wanted to prioritize, given the climate of the budget right now, the economy and otherwise, I thought, I better have something that is relevant. Not that we're limited to that, by any means, but that's something that I wanted to be able to pursue. And I've been told that in August of every year I ought to go up into Wyoming and watch all of the motorcycles pass by on Highway 85 as they're avoiding Nebraska. And if you'll note, Nebraska, with the exception of Missouri, is surrounded by states with much less restrictive helmet laws. In fact, I think the most restrictive would be age only, that you must be 21, I think it is, in Kansas, maybe 18 in South Dakota, and Iowa has no restrictions whatsoever. Those three states that I mentioned actually have lower fatality rates...I'll repeat, lower fatality rates, without mandated helmets, than we have here in Nebraska. The other important bits of information